

Attorney: Docket No.: 506558-0036
First Named Inventor: C. Dwayne Fulton

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : C. Dwayne Fulton
Serial No. : 10/681,681
Filing Date : October 8, 2003
Title : WEIGHTS FOR MODEL RACING CARS

Group/Art Unit : 3712
Examiner : Ali F. Abdelwahed
Confirmation No. : 7681

Docket No. : 506558-0036

DECLARATION OF JEFFREY THOMPSON

I, Jeffrey L. Thompson, under penalty of perjury do hereby state:

1. I am a resident of Camdenton, Missouri, USA.
2. I am employed by Osment Models, Inc. ("the company").
3. I hold the position of Director of Accounting.
4. I have been employed by Osment Models, Inc. since February 28, 2000.
5. I was actively involved with the company at the time it developed and introduced the product which is the subject of the above-identified patent application.
6. I am familiar with the introduction of this product to the public and the first sale of the product.
7. The product was first publicly shown at a trade show in September, 2003.
8. I have ascertained from an examination of company records that the first sale of this product occurred in December, 2003.
9. I have examined the website referenced by Examiner Ali Abduwalhead in the letter dated April 7, 2004 from the United States Patent and Trademark Office. This website is identified by the domain name web.archive.org. The information contained in this website with regard to the history of the website www.pinecar.com is inaccurate. The pinecar.com website did not include the information which is presently on that website until subsequent to September of 2003.
10. At my instruction, the Information Systems Director of our company, Timothy Harryman, has communicated with a representative of the website, www.archive.org. This investigation confirmed that the archived information with regard to www.pinecar.com was not accurate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Jeffrey Thompson

Date:

5/5/04